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TSIB Talking Points

“Breaking News”- Special Bulletin

New York, New York!

What law has been on the books since the late 1800? You got it, NY State Labor law 240/241, known as the Scaffold Law. This law holds contractors and property owners engaged in construction, repair or demolition work 100% liable for gravity-related injuries despite any gross negligence on the part of the injured workers

A coalition of business advocacy and local government groups which include more than 75 member organizations have solicited NY Governor Andrew Cuomo to add Scaffold Law reform to the 2021 executive budget and amend the absolute liability standard into what the coalition calls “a more equitable and modern comparative negligence standard.

Absolute liability is not even written into the law, it is how it is interpreted in the courts, which then calls into question how other states interpret absolute liability.

According to the letter filed by this coalition, they are looking to provide “clarity” to this ruling, which would allow the state to:

- Free up millions of dollars in state and municipal budgets annually
- Supposedly save hundreds of millions of dollars for infrastructure,
- Entice insurance companies to come back to NY to offer more capacity, which would encourage rate stability

Why will this time be any different from the past attempts to amend the law in 2016 or 2013, when a similar reform discussion was brought by government agencies and contractors to the governors’ attention and was voted down?

Hey, you never know what will happen in 2021.
For full article, please [click here](#).